

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

MARCH 15, 2017

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

REGULAR SESSION MEETING - 6:00 P.M.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers present: West, Patton, Spriggs
Councilmembers absent: None
Mayor present: Dedina
Mayor Pro Tem present: Bragg
Staff present: City Manager Hall, City Attorney Lyon, City Clerk Kelly, Assistant City Manager Dush, City Planner Foltz, Public Works Director Levien, Assistant Public Works Director Helmer, Fire Chief French, Administrative Services Director Bradley

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Antia Ulloa from George Nicoloff Elementary School.

AGENDA CHANGES

MOTION BY SPRIGGS, SECOND BY PATTON, TO PULL ITEM NO. 2.2 – RATIFICATION OF WARRANT REGISTER FROM THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA AND TO TAKE ITEM NO. 5.2 – RESOLUTION 2017-7783 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER BEFORE THE PUBLIC HEARINGS. MOTION CARRIED UNANIMOUSLY.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

Mayor Pro Tem Bragg, along with the Mayor and City Council, presented a Proclamation to Eleanor Yakawetz in recognition of her 100th Birthday.

Councilmember Spriggs reported on his attendance at the Metro Wastewater Joint Powers Authority (JPA) meeting. He shared concerns raised over the City of San Diego's plan to invest in infrastructure for the Pure Water Program before determining if secondary treatment is required at the Point Loma Treatment Plant. He noted that upgrades for secondary treatment will cost an additional \$2 billion and he expressed concern about the impacts on the ratepayers. He also reported that he Co-chaired a meeting of the International Boundary and Wastewater Commission (IBWC) Citizens Forum where there was a focus on the sewage spill. In response to the IBWC's announcement that they will conduct an investigation, the Citizens Forum agreed to send a letter to the IBWC Commissioners urging them to have specific findings on what went wrong, why it went wrong and to have specific recommendations on how to prevent future spills.

Councilmember Patton reported he and Mayor Pro Tem Bragg attended the 3rd South Bay Union School District Champions event. He also attended the South County Economic Development Council meeting and the School Site Council meeting at Mar Vista High School. He announced the upcoming grand opening of the library.

Councilmember West spoke about going on a tour of the Tijuana River Valley with Congressman Peters and other officials to discuss the problems that are happening in that area. He also reported on his attendance at the I.B. Charter School Walk and Ride, a meeting with Assembly Members Gloria and Gonzales and Assembly Speaker Rendon about the issues in the Tijuana River Valley, participating in some of the South Bay Clean Water Movement events, and meeting with concerned citizens about the Bayshore Bikeway. He announced the 3rd Clean City Initiative will be held on March 30 at 13th St. and I.B. Blvd. and the Elm Ave. Ribbon Cutting Ceremony is on March 21.

Mayor Pro Tem Bragg reported on her attendance at the recent Metropolitan Transit System Board meeting, the Accessibilities Committee meeting, the LAFCO City Selection Committee meeting for the Mayor, and the League of California Cities meeting. She announced the Chamber Networking Breakfast is on March 23 and the Chamber of Commerce Taste of I.B. event is on March 25.

Mayor Dedina reported on his attendance at the Little League Opening Day and recognized the prior City Council for working with the Little League on the management of the fields.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

Javier Sanchez asked City Council to consider allowing homeowners to convert garages into living quarters.

Josie Hamada stated she was honored to go to the soft opening of The Little Red Café, formerly K-Pasta, and she encouraged everyone to visit the restaurant.

Melanie Ellsworth, President of the South Bay Union School District Board of Trustees, asked City Council to install a stop sign at the south west corner of Connecticut and Elm due to traffic and safety concerns.

Chris Brown, Vice President of the South Bay Union School District Board of Trustees, asked for a delay of the Elm Ave. Ribbon Cutting Ceremony until the following discrepancies are resolved: the appearance of the new wrought iron fence, some of the colors on the layout (rendering) are not the colors that were actually used, the need for a stop sign, and a section of the sidewalk is not the right texture.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1 & 2.3-2.8)

Tim O'Neal, representing I Heart IB, submitted a speaker slip indicating support for Item No. 2.5.

MOTION BY BRAGG, SECOND BY WEST, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 AND 2.3 THROUGH 2.8. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

The City Council approved the Regular Meeting Minutes of February 1, 2017.

2.3 RECEIVE JANUARY 2017 TREASURER'S REPORT. (0300-90)

The City Council received the monthly Treasurer's report.

2.4 RESOLUTION 2017-7782 TO AWARD GEOTECHNICAL ENGINEER & GEOLOGIST SERVICES CONTRACT TO GEOCON INCORPORATED FOR ON CALL GEOTECHNICAL ENGINEERING SERVICES TO THE CITY FOR A MAXIMUM OF FIVE YEARS. (0700-05)

The City Council adopted Resolution No. 2017-7782.

2.5 ADOPTION OF RESOLUTION NO. 2017-7778 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PYRO SPECTACULARS, INC. FOR PRODUCTION OF THE 2017 4TH OF JULY FIREWORKS SHOW, THE ASSOCIATED COSTS, AND TO SIGN THE RIGHT OF ENTRY PERMIT GRANTING PYRO SPECTACULARS, INC. ACCESS TO THE PIER TO PRODUCE THE SHOW AND TO ALLOCATE FUNDS FOR THE REMAINDER OF THE 4TH OF JULY EXPENSES. THIS ACTION ALSO APPROVES THE ENVIRONMENTAL DETERMINATION AS INDICATED (1040-10)

The City Council adopted Resolution No. 2017-7778.

2.6 RESOLUTION NO. 2017-7779 INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS AND ORDERING THE PREPARATION OF AN ENGINEER'S "REPORT" FOR A SPECIAL ASSESSMENT DISTRICT – AD-67M. (0345-10)

The City Council adopted Resolution No. 2017-7779.

2.7 SECOND READING/ADOPTION - PROPOSED ZONING CODE AMENDMENTS (ORDINANCE NO. 2017-1161) THAT IMPLEMENTS COMMERCIAL LCP POLICIES. MF 935. (0610-95)

The City Council adopted Ordinance No. 2017-1161 approving the proposed Implementation Plan (IP) of the Commercial General Plan/Local Coastal Program Amendment (GPA/LCPA).

2.8 NOTIFICATION OF TRAVEL: COUNCILMEMBER SPRIGGS IS PLANNING TO ATTEND THE LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETINGS MARCH 30-31, 2017 IN ONTARIO, CA. HE SERVES AS VICE-CHAIR OF THE HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT POLICY COMMITTEE. (0410-60)

ORDINANCES/PUBLIC HEARINGS – (3)

None.

REPORTS (5.2)

5.2 RESOLUTION 2017-7783 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER. (0150-40 & 0210-26)

Assistant Public Works Director Helmer reported on the item.

Bethanny Case, with the South Bay Clean Water Movement, spoke about the group's effort to address the pollution in the Tijuana River Valley. The group will continue to raise awareness about the matter and encourage the government to hold appropriate agencies accountable for the pollution on both sides of the border. She thanked everyone who helped out (additional speaking time donated by Carrie Jiampa).

Mark West commented that the Regional Water Quality Control Board hears the concerns and is holding officials on the other side of the border accountable.

Brian Bilbray, Sr., commented on the ongoing pollution problems that have persisted for generations. He encouraged people to contact the Governor and the President and stressed that this problem will always be our problem as long as the community around us gives more importance to having healthy businesses over a healthy environment.

Councilmember Spriggs spoke about the opportunity to make real change. He stated the solution lies in major infrastructure, policy and management changes south of the border. He spoke about the need for City Council to have a consistent message, he suggested a revision to the resolution to authorize the Mayor to engage with other elected officials, and that said action is needed at the Federal level.

Baron Partlow supported the comments made by Mr. Bilbray, he expressed concern about the effects of the sewage spill, he talked to the Sheriff's Dept. about the country of Mexico committing a terrorist act on the U.S.A., and spoke about capturing the water and reclaiming it on this side of the border.

In response to questions of the City Council, Chris Helmer stated the Regional Water Quality Control Board is committed to dedicating their time, resources and staff to address the sewage issue. He also spoke about participating in an investigation by going to Tijuana with other City staff as part of the Workgroup for the Tijuana River Valley Recovery Team. The Workgroup will scrutinize the spill report and demand answers. He also stated that it was eye opening to see how deficient the infrastructure is in Mexico and how much work still needs to be done. He spoke about the need to change priorities and to incentivize partners south of the border to prioritize wastewater infrastructure. With regard to testing, he stated that there is beach water quality testing by the County Department of Environmental Health and they monitor if it is safe to swim. The second testing is a requirement under the IBWC permit with the Regional Board. This testing is done every Tuesday from Point Loma to Rosarito Beach and from Dairy Mart Bridge when there is a flow in the Tijuana River.

Councilmember Patton commented on how Imperial Beach is a great place to live, that this issue will pass, and there will be efforts to ensure this issue doesn't happen again.

Councilmember West expressed concern about violations of Treaty Minute 320 not having repercussions.

Mayor Pro Tem Bragg thanked the Mayor and City Staff for their efforts in addressing the issue. She noted that this is a global problem.

Councilmember Spriggs spoke about the importance of preserving the data of the spill and including images that capture the volume and magnitude of the plume.

Mayor Pro Tem Bragg suggested that data collection also include input from local businesses to see if there was a decrease in business, from realtors to see if there was a decrease in home sales, and input from schools to see if there was an increase in illnesses.

Mayor Dedina encouraged those in the Tijuana River Valley and residents of San Diego to meet with Mayor Kevin Faulconer and Councilmember David Alvarez as this is a regional problem. He spoke about the importance of engaging elected officials of all levels and the need to come up with an advocacy plan. He also noted that for the first time the media is reaching Mexico City. He reported on a press conference he had in Mexico, next to a river of sewage that resulted in various meetings including one with the Governor of Baja California who committed to help solve the problem. He expressed his concern and disappointment with the desalinization plant being a priority over water quality improvements. He also talked about the regional cities signing on to two letters to fast track water quality improvements.

Councilmember Spriggs suggested the following amendment to paragraph 3 of Resolution No. 2017-7783: The City Manager is directed to continue working with local stakeholders and the Mayor is authorized to continue reaching out to elected officials at the local, state and national levels to advance binational projects efforts to improve conditions in the Tijuana River.

MOTION BY SPRIGGS, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7783 CONTINUING THE PROCLAMATION OF A STATE OF LOCAL EMERGENCY RELATING TO IMPACTS FROM CROSS-BORDER POLLUTION IN THE TIJUANA RIVER AS AMENDED. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (4.1-4.2)

4.1 PUBLIC HEARING TO ADOPT RESOLUTION NO. 2017-7780 APPROVING REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN – REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM PROJECT ON STATE ROUTE 75. (0680-95)

Mayor Dedina declared the public hearing open.

Public Works Director Levien gave a PowerPoint presentation on the item.

City Clerk Kelly announced no speaker slips were submitted.

In response to Councilmember Spriggs' question, Public Works Director Levien clarified that the crosswalk would be at 10th Street.

Without dissention of City Council, Mayor Dedina closed the public hearing.

MOTION BY PATTON, SECOND BY WEST, TO ADOPT RESOLUTION NO. 2017-7780 APPROVING REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) PROJECT PLAN – REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM PROJECT ON STATE ROUTE 75. MOTION CARRIED UNANIMOUSLY.

4.2 PUBLIC HEARING ON RESOLUTION NO. 2017-7781 OF THE CITY OF IMPERIAL BEACH, CALIFORNIA ADJUSTING A REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP) FEE FOR FISCAL YEAR 2017-2018. (0680-95)

Mayor Dedina opened the public hearing.

Public Works Director Levien reported on the item.

City Clerk Kelly announced no speaker slips were submitted.

Without dissention of City Council, Mayor Dedina closed the public hearing.

MOTION BY WEST, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2017-7781 ADJUSTING A REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PLAN (RTCIP) FEE FOR FISCAL YEAR 2017-2018. MOTION CARRIED UNANIMOUSLY.

REPORTS (5.1)

5.1 RESOLUTION NO. 2017-7784 AWARDED PUBLIC WORKS CONTRACT TO WIT: CIVIC CENTER WINDOWS REPLACEMENT (F15-201) AND APPROPRIATING \$40,000 FROM THE FACILITIES MAINTENANCE FUND (504 ACCOUNT). (0910-10)

City Manager Hall reported on the item.

Councilmember Patton stated that with new windows there should be new window coverings.

Mayor Dedina requested a copy of monthly energy costs and commented that City staff and the community deserve better facilities.

MOTION BY SPRIGGS, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2017-7784 AWARDED PUBLIC WORKS CONTRACT TO WIT: CIVIC CENTER WINDOWS REPLACEMENT (F15-201) AND APPROPRIATING \$40,000 FROM THE FACILITIES MAINTENANCE FUND (504 ACCOUNT). MOTION CARRIED UNANIMOUSLY.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (2.2)

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Administrative Services Director Bradley responded to Councilmember Spriggs' questions regarding the Bikeway Village charges and he noted that this is probably the last check because the project is completed.

Assistant City Manager Dush gave an update on the Bikeway Village Project. He announced the west building went through some modifications in that it was originally going to be a hostel and now it will be a brewery/distillery restaurant.

Councilmember Spriggs commented on the future increase in payments made to Metro as a result of the cost for the Pure Water Program.

**MOTION BY WEST, SECOND BY SPRIGGS, TO RATIFY THE WARRANT REGISTER.
MOTION CARRIED UNANIMOUSLY.**

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular meeting at 7:46 p.m.

_____/s/
Serge Dedina,
Mayor

_____/s/
Jacqueline M. Kelly, MMC
City Clerk